

UNITES STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
NORTHERN DIVISION

CASE NO. 00-6017-CIV-ZLOCH/SELTZER

CHERL SEARS,

Plaintiff,

v.

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA,

Defendant.

**NIGHT BOX
FILED**

JAN 10 2000

CLARENCE MADDOX
CLERK, USDC / SDFL / FTL

DEFENDANT'S UNOPPOSED MOTION FOR ENLARGEMENT OF TIME
TO RESPOND TO PLAINTIFF'S SECOND AMENDED COMPLAINT

Defendant, BROWARD COUNTY SCHOOL BOARD, FLORIDA, through its counsel, Muller, Mintz, Kornreich, Caldwell, Casey, Crosland & Bramnick, P.A., moves for a seven (7) day enlargement of time to respond to Plaintiff's Second Amended Complaint, and states as follows:

1. Plaintiff Cherl Sears ("Plaintiff") filed the instant action against the Broward School Board, in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, on or about March 4, 1999. On April 16, 1999, Defendant filed a Motion to Dismiss with Incorporated Memorandum of Law. On November 18, 1999, the state court granted Defendant's Motion to Dismiss the Complaint. On or about December 7, 1999, Plaintiff filed her Amended Complaint, and also filed a Motion for Leave to Amend the Amended Complaint. On December 21, 1999, the Court granted Plaintiff's Motion for Leave to Amend the Amended Complaint. Thereafter, Defendant filed a Motion for Removal with this Court on January 5, 2000.



2. This action is one of a civil nature for, inter alia, alleged violations of the Due Process Clause and Equal Protection Clause under the Fourteenth Amendment of the United States Constitution.

3. In accordance with the Federal Rules of Civil Procedure, Defendant's response to Plaintiff's Second Amended Complaint is currently due January 10, 2000.

4. In order to obtain the documents necessary to properly respond to Plaintiff's Second Amended Complaint, Defendant is in need of a seven (7) day enlargement of time. As such, Defendant requests an enlargement of time through January 17, 2000, to respond to Plaintiff's Second Amended Complaint.

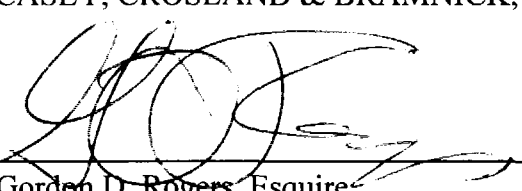
5. In accordance with Local General Rule 7.1(A)(3), counsel for Defendant, John A. Walker, represents that he has contacted opposing counsel, Mark Berkowitz, who represented that Plaintiff does not object to the enlargement of time requested by Defendant herein.

WHEREFORE, Defendant respectfully requests that the Court extend the deadline to file its response to Plaintiff's Second Amended Complaint from January 10, 2000, to January 17, 2000.

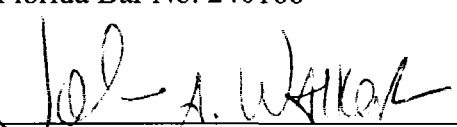
Suite 3600
First Union Financial Center
200 South Biscayne Boulevard
Miami, Florida 33131-2338
(305) 358-5500 (Miami-Dade)
(954) 522-0393 (Broward)
(305) 379-3802 (Fax)

MULLER, MINTZ, KORNREICH, CALDWELL,
CASEY, CROSLAND & BRAMNICK, P.A.

By

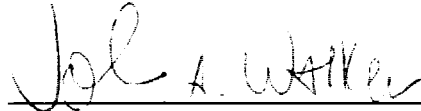

Gordon D. Rogers, Esquire
Florida Bar No. 240168

By


John A. Walker
Florida Bar No. 086754
Counsel for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document has been furnished to Mark J. Berkowitz, Esquire, Mark J. Berkowitz, P.A., Counsel for Plaintiff, Suite 200N, 524 South Andrews Avenue, Fort Lauderdale, Florida 33301, by mail, this 10th day of January, 2000.

A handwritten signature in cursive script, appearing to read "John A. Walker", is written over a horizontal line.

John A. Walker